

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

<p>MARY LOU PETT, KATHLEEN FICK- GEE, DIANE BRYCE, PATTI DELVALLE, MICHELLE HOLCOMB, KIM READUS, ALICE REESE, ERIKA VAN ALLER, and LINDA WHITE, individually and on behalf of all others similarly situated,</p> <p>Plaintiffs,</p> <p>v.</p> <p>PUBLISHERS CLEARINGHOUSE, INC.,</p> <p>Defendant.</p>	<p>Case No. 2:22-cv-11389-DPH-EAS</p> <p>Hon. Denise Page Hood</p> <p>Mag. Elizabeth A. Stafford</p>
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**PLAINTIFFS' NOTICE OF INTENT TO FILE
MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF
MOTION FOR RECONSIDERATION (ECF No. 47)**

Plaintiffs, individually and on behalf of all others similarly situated, submit this Notice of Intent to File Motion for Leave to File Reply in Support of Motion for Reconsideration (ECF No. 47).

On May 23, 2023, the Court granted Defendant's Motion to Dismiss¹ in part, granting it with respect to disclosures of Private Purchase Information to any third-parties not specifically identified in the Second Amended Complaint (finding such disclosures "speculative"), denying the Motion in part with respect to disclosures of Private Purchase Information to NextMark, Inc. and List Services Corp., and ordering that "any discovery shall be limited to only the named Plaintiffs." Order, ECF No. 44, PageID.3393-94. In Plaintiffs' Motion for Reconsideration, Plaintiffs argued that the Court should reconsider the portions of its Order granting Defendant's Motion with respect to unnamed third-parties and limiting discovery "to only the named Plaintiffs." ECF No. 47, PageID.3402.

On April 3, 2024, the Court issued an order requiring Defendant to respond to Plaintiffs' Motion for Reconsideration by April 19, 2024. ECF No. 53. On April 19, 2024, Defendant filed its Response in opposition. ECF No. 54.

Upon review of Defendant's Response, Plaintiffs believe that it is imperative for the Court to be provided with further context responsive to Defendant's

¹ ECF No. 25, seeking to dismiss the Second Amended Class Action Complaint, ECF No. 22.

Response. And since E.D. Mich. LR 7.1(h)(3) does not permit the filing of a response unless a court orders otherwise, let alone a reply brief, Plaintiffs understand that leave of court should be sought prior to filing a reply brief here. As such, Plaintiffs' file this Notice of Intent to the Court that Plaintiffs' will be filing a Motion for Leave to File a Reply brief in support, including an attached proposed reply.

Dated: April 19, 2024

Respectfully submitted,

/s/ E. Powell Miller

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Counsel for Plaintiffs and the Putative Class

CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2024, I electronically filed the foregoing documents using the Court's electronic filing system, which will notify all counsel of record authorized to receive such filings.

/s/ E. Powell Miller

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